

AMENDED IN ASSEMBLY AUGUST 30, 2016

AMENDED IN ASSEMBLY AUGUST 19, 2016

AMENDED IN ASSEMBLY FEBRUARY 1, 2016

AMENDED IN SENATE JUNE 2, 2015

AMENDED IN SENATE APRIL 7, 2015

AMENDED IN SENATE MARCH 18, 2015

SENATE BILL

No. 62

Introduced by Senators Hill and Pavley

December 30, 2014

An act to add and repeal Section 309.8 of the Public Utilities Code, relating to the Public Utilities Commission.

LEGISLATIVE COUNSEL'S DIGEST

SB 62, as amended, Hill. Public Utilities Commission: Office of the Safety Advocate.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities and can establish its own procedures, subject to statutory limitations or directions and constitutional requirements of due process.

This bill would, until January 1, 2020, establish within the commission the Office of the Safety Advocate to advocate for the continuous, cost-effective improvement of the safety management and safety performance of public utilities. The bill would require the office to promote public utility safety by: (1) ~~recommending improvements to the commission's safety management policy and procedures and its safety culture;~~ (2) advocating for risk-informed, cost-effective public

utility safety management and infrastructure improvements and for the transparency of safety information; (2) *recommending improvements to the commission's safety management policy and procedures and its safety culture*; and (3) informing the official record on safety-related risks in applicable commission proceedings and assisting the commission in its efforts to hold public utilities accountable for their safe operation. ~~The bill would authorize the office to compel the production or disclosure of any information it deems necessary to perform its duties from any public utility, any affiliate of a public utility, or specified contractors of a public utility. The bill would require the office to annually provide specified information to the chairpersons of the appropriate fiscal and policy committees of each house of the Legislature and to the Joint Legislative Budget Committee. Legislature.~~

~~Under existing law, a violation of the Public Utilities Act or an order or direction of the commission is a crime.~~

~~Because this bill would authorize the office to compel specified entities to produce or disclose certain information, this bill would impose a state-mandated local program by expanding the definition of a crime.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: *yes-no*.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 309.8 is added to the Public Utilities
- 2 Code, to read:
- 3 309.8. (a) There is hereby established within the commission
- 4 the Office of the Safety Advocate to advocate for the continuous,
- 5 cost-effective improvement of the safety management and safety
- 6 performance of public utilities.
- 7 (b) The office shall promote public utility safety by doing all
- 8 of the following:
- 9 (1) ~~Recommending improvements to the commission's safety~~
- 10 ~~management policy and procedures and its safety culture.~~
- 11 (2)

1 (1) Advocating, as a party to commission proceedings and on
2 behalf of the interests of public utility customers, for ~~risk-informed,~~
3 ~~cost-effective~~ *effective* public utility safety management and
4 infrastructure improvements and for the transparency of safety
5 information, including, but not limited to, information relating to
6 past performance.

7 (2) *Recommending improvements to the commission's safety*
8 *management policy and procedures and its safety culture.*

9 (3) Informing the official record on safety-related risks in
10 applicable commission proceedings and assisting the commission
11 in its efforts to hold public utilities accountable for their safe
12 operation.

13 ~~(e) The office may compel the production or disclosure of any~~
14 ~~information it deems necessary to perform its duties from any~~
15 ~~public utility, any affiliate of a public utility, or any contractor of~~
16 ~~a public utility undertaking work on behalf of the public utility~~
17 ~~that pertains to the safety of the public utility's system. An~~
18 ~~objection to a production or disclosure request shall be decided in~~
19 ~~writing by the assigned commissioner or by the president of the~~
20 ~~commission, if there is no assigned commissioner.~~

21 ~~(d)~~

22 (c) On or before January 10 of each year, the office shall provide
23 to the chairpersons of the *appropriate* fiscal and *policy* committees
24 of each house of the Legislature ~~and to the Joint Legislative Budget~~
25 ~~Committee~~ all of the following information:

26 ~~(1) The number of personnel years used by the office during~~
27 ~~the prior fiscal year.~~

28 ~~(2) The moneys expended by the office in the prior fiscal year,~~
29 ~~the estimated moneys to be expended by the office in the current~~
30 ~~fiscal year, and the moneys proposed for appropriation for the~~
31 ~~office in the following budget year.~~

32 ~~(3) Workload standards and measures for the office.~~

33 (1) *The actions taken by the office to recommend improvements*
34 *to the commission's safety management policy and procedures*
35 *and its safety culture related to the oversight of utilities.*

36 (2) *The actions taken by the office to recommend improvements*
37 *to public utility safety management policy and procedures and*
38 *safety culture.*

39 (3) *The proceedings in which the office participated and a brief*
40 *description of the testimony it filed.*

1 (e)

2 (d) This section shall remain in effect only until January 1, 2020,
3 and as of that date is repealed, unless a later enacted statute, that
4 is enacted before January 1, 2020, deletes or extends that date.

5 ~~SEC. 2. No reimbursement is required by this act pursuant to~~
6 ~~Section 6 of Article XIII B of the California Constitution because~~
7 ~~the only costs that may be incurred by a local agency or school~~
8 ~~district will be incurred because this act creates a new crime or~~
9 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
10 ~~for a crime or infraction, within the meaning of Section 17556 of~~
11 ~~the Government Code, or changes the definition of a crime within~~
12 ~~the meaning of Section 6 of Article XIII B of the California~~
13 ~~Constitution.~~